



Atty. Dkt. No. 016887-1029

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eiichi SAKAUE et al.
Title: IMAGE PROCESSING APPARATUS AND IMAGE PROCESSING SYSTEM
Patent No.: 7,054,490
Grant Date: 05/30/2006
Appl. No.: 09/749,602
Filing Date: 12/28/2000
Examiner: Jerome GRANT II
Art Unit: 2626
Confirmation No: 4816

REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the Patent Term Adjustment (PTA) included with the Patent Grant dated May 30, 2006.

The above-identified application was filed on December 28, 2000, and is therefore eligible for application of the PTA rules. Under 37 C.F.R. § 1.703(a) through (c), the period of adjustment of the term of a patent shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution (processing or examination) of the application. The applicable rules state:

§1.704 Reduction of period of adjustment of patent term.

(c)(11)(e) Submission of an application for patent term adjustment under § 1.705(b) (with or without request under § 1.705(c) for reinstatement of reduced patent term adjustment) will not be considered a failure to engage in

reasonable efforts to conclude prosecution considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(10) of this section.

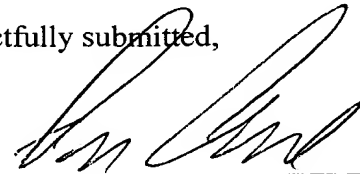
The PTO issued a notice of allowance in the above application with a mailing date of June 6, 2005 that indicated the Patent Term Adjustment days of 802. Applicants filed the issue fee payment and a Letter of Good Faith on August 23, 2005 that indicated the PTA should have been 772 days instead of the 802 days that was granted by the PTO. The PTO agreed with Applicants calculations and sent a Decision on Patent Term Adjustment dated March 13, 2006 granting the Patent Term Adjustment of 772 days. The four-month date for the Patent Office to grant the application was December 23, 2005. The Patent Office granted the application on May 30, 2006 which resulted in 158 additional PTO days. The PTO erroneously applied 120 applicant days for the filing of the Good Faith letter. The filing of the Good Faith letter should not have reduced the PTA days. Therefore, the total Patent Term Adjustment days should be (1) 772 days at notice of allowance and (2) 158 days for PTO delay, for a total of 930 Patent Term Adjustment days.

It is respectfully requested that a Patent Term Adjustment of 930 days be granted in favor of the Applicant.

A credit card authorization form for the amount of \$200 is enclosed herewith. Should no proper payment be enclosed herewith, as by a check or credit card authorization form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By



Date July 24, 2006

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